

Notice of Allowability

Application No.

10/759,702

Examiner

William V. Gilbert

Applicant(s)

LEWISON, STEVE

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 23 August 2007.
2. ☒ The allowed claim(s) is/are 1,4,5,7,10,13,14,17,19,21 and 23-43.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with C. Kinghorn on 27 September 2007.

The application has been amended as follows:

Rewrite Claims 26, 28 and 28 as follows:

Claim 26: In a truss system having at least one truss span having at least three substantially parallel chords and an end, at least one generally cylindrically-shaped hub having a cylindrical outer wall having a top and a bottom wherein the hub includes at least one pair of pre-formed holes in the cylindrical outer wall, and at least one connection member having a first end and a second end wherein the connection member is attached to each chord at the first end and attached to the hub at the at least one pair of pre-formed holes at the second end, a method for forming a truss assembly, comprising: attaching the second end of the connection member to the hub at

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the at least one pair of pre-formed holes so that the connection member radially extends away from the hub; and attaching each chord member of the truss span to the first end of the connection member.

Claim 27: the method of claim 26, further comprising attaching one or more connection members to the hub in a plane.

Claim 28: the method of claim 26, further comprising attaching an end of a truss span to the hub through a connection member extending radially away from the hub near either the top or bottom of the hub.

Please amend the following claims below:

Claim 39, line 14: delete "adapted to connect", add
--connecting-- to read "a hub connecting at least two..."

Claim 40, line 14: delete "adapted to connect", add
--connecting-- to read "a hub connecting at least two..."

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Claim 42, line 15: delete "adapted to connect to the hub", add --connecting to a hub-- . To read "a tapered end connecting to a hub..."

Claim 43, line 14: add --a hub-- to read "a hub, wherein the hub..."

Claim 43, line 14: delete "for use to" add --that-- to read "pre-formed holes that fasten connection..."

2. The following is an examiner's statement of reasons for allowance:

Per independent Claims 1, 10, 38 and 42: the prior art of record does not disclose the limitations of the structural end bracket as claimed with respect to its limitations of structure and location on the truss span

Per independent Claim 26, 39, 40 and 43: the prior art of record does not disclose the combination of the limitations of the hub with connection features and a truss system as claimed and in combination with the limitations of the truss system as claimed.

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Per independent Claims 29, 32, 33, 37 and 41: the prior art of record does not disclose the limitations of the connection features including the access openings and end plugs and the fastener as claimed.

Per independent Claim 34: the prior art of record does not disclose the limitations of the tab connection feature and the upward and downward biasing of the tabs.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William V. Gilbert whose telephone number is 571.272.9055. The examiner can normally be reached on Monday - Friday, 08:00 to 17:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571.272.6777. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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01 Oct 07


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